

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1-3, 10-11, 15, 18, 20-22, 24-28 and 31-32 remain in the application. Claims 32-41 are new and consideration of these new claims is respectfully requested.

Claim 1 has been amended to be directed to the embodiment of the invention shown in Figs 10A-B and Figs 11A-11D which is believed to be patentable over the prior art. Generally, Applicant believes that the art does not show a device that can be configured to be extendable into three dimensional space (defined by three transverse directions). Further, the art does not show a connecting body that supports roller elements on both sides of a conveying body, and which can be conveyed along with the conveying body, in the same direction as the conveying body.

Claims 1-3, 10-11, 13-18, 21-25 and 28-31 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 3,595,377 to McCoy (hereinafter McCoy). For the following reasons, the rejection is traversed as McCoy does not disclose all of the features of the claims, as amended.

Claim 1, as amended requires that a *connecting body* supports at least two rolling elements on opposite sides of a conveying body and determines a distance between the rolling elements, so that guide rails and conveying bodies are loosely

guided with respect to one another. McCoy fails to disclose this. The Office action states that the insert 12 of McCoy discloses the claimed connecting body support. However, this insert 12 does not support the ball in McCoy in such a manner that the distance between rolling elements is determined. Rather, in McCoy the distance between balls is controlled by the articulated member 15.

Claim 1, as amended, also requires that the at least one connecting body is conveyable in the same direction as the conveying body and is U-shaped with an intermediate portion extending in a direction transverse to the direction of conveyance. The insert 12 in McCoy is fixed and thus can not be conveyed with the articulating member 15. Further, the insert 12 in McCoy is not U-shaped with an intermediate portion extending in a direction transverse to a direct of conveyance. The insert in McCoy has a simple bar shape with a groove and no portion of the device that supports the balls in McCoy is movable with the articulating device.

Further, the claimed conveying device is operable with curvatures in different directions of curvature. As "direction of curvature" is understood in mathematics and the art as being a vector that takes into account the direction of a bend as well as sharpness of a bend, it can be seen that the claimed conveying device is adjustable in three dimensions. This is seen, for example, in Fig. 10A of Applicant's drawings. Fig. 1 of McCoy shows curvature only within a common plane (i.e. 2 dimensional). McCoy only discloses a device that is adjustable in two dimensions. If the McCoy device were bent out of the paper plane, some amount of play would have to be introduced between the elements 21 among each other, and between the elements 21, the balls and the track, which would cause the balls to fall out.

Thus, claim 1 is believed to be allowable over McCoy. Claims 2-3, 10-11 and

15 depend directly or indirectly from claim 1 and are believed to be allowable at least for the reasons stated above. Claims 12-14, 16-17, 23 and 29 have been cancelled.

Claim 18 has been amended to state that the connecting body or bodies move with the conveying bodies and at a speed lower than that of the conveying body. This is not the case in McCoy, as only the balls move therein.

Claims 21-22 and 24-25, and 30-31 depend directly or indirectly from claim 1 and are believed to be allowable at least for the reasons stated above.

Claim 28, as amended also not anticipated by McCoy. Specifically, claim 28 includes:

a rolling body that is arranged at least partially between guide rails and the at least one conveying body in such a manner that rollers, during displacement of the at least one conveying body, are rotatable on interior surfaces of the guide rails,
and

wherein the at least one conveying body rolls up over the rolling body, and comprises further rollers, which roll on an exterior surface a guide rail.

Simply, McCoy does not disclose a device that includes rollers on both a rolling body and a conveying body. Further McCoy does not disclose a device where rollers roll on both interior and exterior surfaces of guide rails.

Reconsideration and withdrawal of the rejection of claims 1-3, 10-11, 13, 18, 21-22, 24-25 and 28-31 as being anticipated by U.S. 3,595,377 to McCoy is respectfully requested.

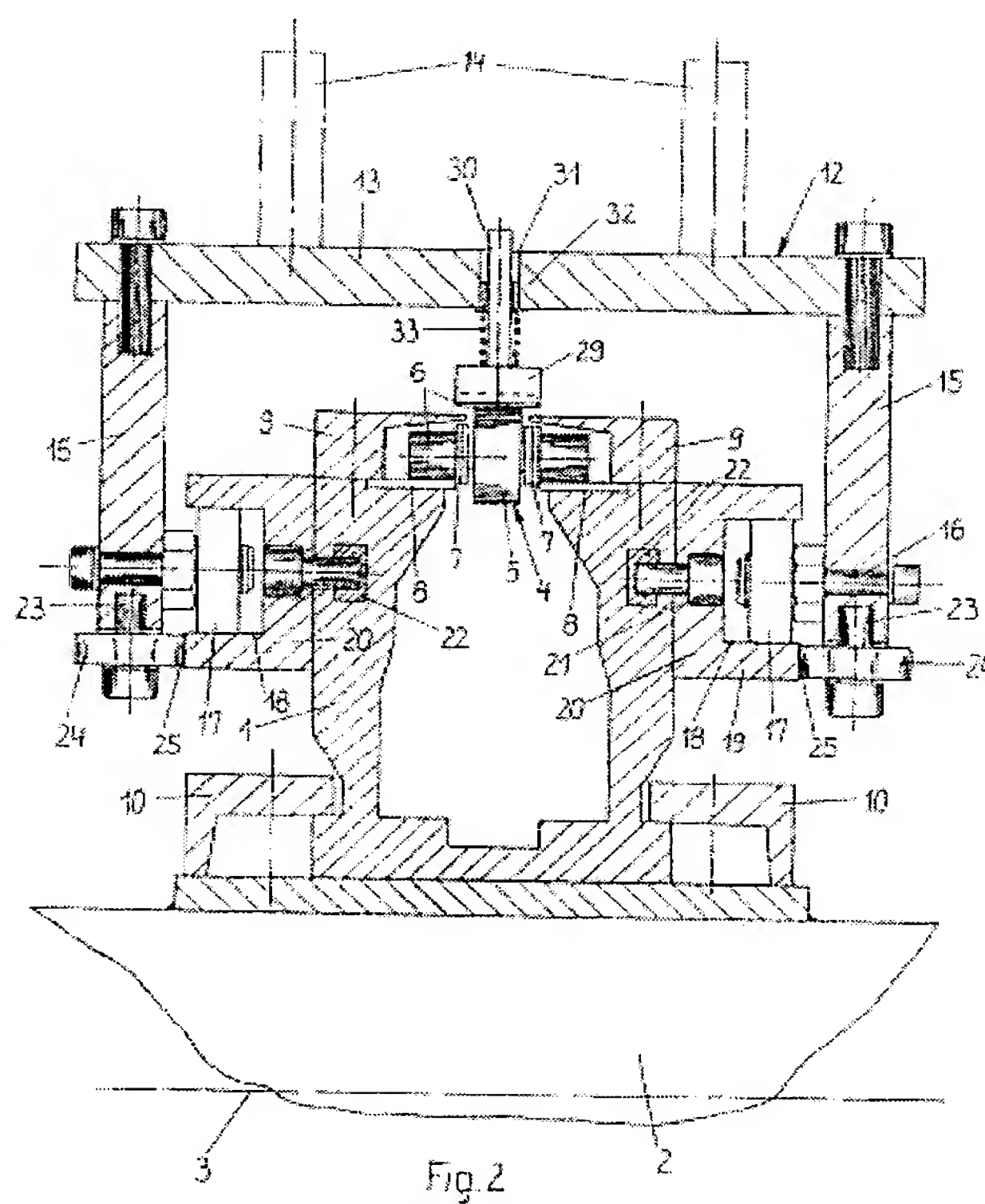
Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over McCoy in view of EP0338500 to Gartner (hereinafter Gartner). Claim 4 has been cancelled and thus this rejection is moot.

Claims 5-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable

over McCoy in view of U.S. 3,690,433 to Buldini (hereinafter Buldini). Claims 5-6 have been cancelled and thus this rejection is moot.

Claims 7-9 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McCoy in view of U.S. 4,712,670 to Burkhardt (hereinafter Burkhardt). Claims 7-9 have been cancelled herein. For the following reasons, claim 20 is believed to be patentable.

Fig. 2 of Burkhardt is reproduced below. Simply Burkhardt teaches a combination of a roller chain 4 and sliding carriages 12 that move on a support structure 1.



Claim 20 depends directly from claim 1 and Burkhardt fails to cure the deficiencies in the McCoy reference described above with respect to claim 1.

Burkhardt also does not teach a connecting body that supports at least two rolling elements on opposite sides *of a conveying body*. Although the sliding carriages could be considered connecting bodies for the rollers held thereon, the support structure 1 in Burkhardt does not move and thus can not be considered to be a conveying body. Simply put, claim 1 requires that both the conveying body and connecting body move, and in the same direction. This is not shown by the proposed combination.

Thus, reconsideration and withdrawal of the rejection of claim 20 as being unpatentable over McCoy in view of Burkhardt is respectfully requested.

Claims 32-41 are new, but the dependent claims, correspond to dependent claims previously presented. Claim 32 includes the features that the connecting body and conveying body are both movable in the same direction, but the connecting body moving at a speed that is less than that of the conveying body. The cited art, including McCoy, Burkhardt, Buldini and Gartner, does not disclose this feature. For at least this reason claims 32-41 are believed to be allowable.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. FRR-16841.

Respectfully submitted,

RANKIN, HILL & CLARK LLP

By /James A. Balazs/
James A. Balazs, Reg. No. 47401

38210 Glenn Avenue
Willoughby, Ohio 44094-7808
(216) 566-9700